

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

CONSTELLATION IP, LLC	§	
Plaintiff	§	
	§	
V.	§	No. 5:07CV38
	§	
AVIS BUDGET GROUP, INC., et al.	§	
Defendants	§	

CONSTELLATION IP, LLC	§	
Plaintiff	§	
	§	
V.	§	No. 5:07CV132
	§	
THE ALLSTATE CORP., et al.	§	
Defendants	§	

ORDER

Pursuant to the provisions of 28 U.S.C. § 636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for Assignment of Duties to United States Magistrate Judges, Defendants' Joint Motion to Partially Consolidate Actions and to Continue *Markman* Hearing (Docket Entry # 153) was referred to the Honorable Caroline M. Craven for the purposes of hearing and determining said motion. The Court conducted a hearing on the motion on December 4, 2007.

Having considered the parties' positions as well as judicial economy and convenience, the Court hereby denies the motion to consolidate for the limited purpose of consolidating and continuing the hearing directed to construction of the claims of the common patent-in-suit. The claim construction briefing process in *Constellation II* is complete, with a claim construction hearing scheduled December 10. The tutorial and claim construction hearing in *Constellation II* will proceed as scheduled before the undersigned on December 10, 2007 at 9:00 a.m.

The Court will enter in *Constellation III* the proposed docket control order attached to the parties' Joint Conference Report which schedules, among other things, a claim construction hearing before the undersigned at 9:00 a.m. on July 2, 2008.

IT IS SO ORDERED.

SIGNED this 5th day of December, 2007.


CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE